
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

ALFREDO GONZALEZ,

Plaintiff,

v.

WELLS FARGO BANK, N.A.; AMERICA'S
SERVICING COMPANY; MERIDIAS
CAPITAL, INC.; U.S. BANK, N.A.;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;
ALLISON KEACH; LORI KING; eTITLE
INSURANCE AGENCY; LAURA ANN
HUFF; JACOB HUFF; and DOES 1-50,

Defendants.

**MEMORANDUM DECISION AND
ORDER DISMISSING REMAINING
DEFENDANTS AND CLOSING THE
CASE**

Case No. 2:12-cv-00286-DN

District Judge David Nuffer

In March 2012, Plaintiff Gonzalez filed a complaint¹ in the Third Judicial District Court, State of Utah alleging six (6) causes of action against the Defendants. On March 23, 2012, Defendants filed a notice of removal.² As of January 7, 2014, Defendants Meridias Capital Inc., Allison Keach, Lori King, eTitle Insurance Agency, and Does 1-50 have not been served. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, a plaintiff is required to serve the summons and complaint upon the defendant within 120 days after filing the complaint.³ However, "if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period."⁴ Otherwise, the court "must dismiss the action without

¹ [Docket no. 2-1](#), filed March 23, 2012.

² [Docket no. 2](#), filed March 23, 2012.

³ Fed. R. Civ. P. 4(m).

⁴ *Id.*

prejudice against that [unserved] defendant or order that service be made within a specified time.”⁵

This Court ordered Plaintiff to show cause why Defendants Meridias Capital Inc., Allison Keach, Lori King, eTitle Insurance Agency, and Does 1-50 have not been served.⁶ Plaintiff’s response to that order does not attempt to make such a showing.⁷ Therefore, Defendants Capital Inc., Allison Keach, Lori King, eTitle Insurance Agency, and Does 1-50 are dismissed without prejudice.


Defendants Wells Fargo Bank, N.A.; America’s Servicing Company; U.S. Bank, N.A.; Mortgage Electronic Registration Systems, Inc.; and Jacob Huff and Laura Ann Huff were previously dismissed from the case.⁸ There are no defendants remaining and the case is ready to be closed.

ORDER

IT IS HEREBY ORDERED that Defendants Meridias Capital Inc., Allison Keach, Lori King, eTitle Insurance Agency, and Does 1-50 are DISMISSED without prejudice. The Clerk of the Court is instructed to close the case.

Signed January 7, 2014.

BY THE COURT



District Judge David Nuffer

⁵ *Id.*

⁶ Order to Show Cause, [docket no. 28](#), filed June 24, 2013.

⁷ Response to Order to Show Cause, [docket no. 31](#), filed July 17, 2013.

⁸ Memorandum Decision and Order Granting Motion to Dismiss for Failure to State a Claim, [docket no. 27](#), filed June 6, 2013.